

REMARKS

Upon entry of this Amendment, claims 1-39 will be pending in the present application. By this Amendment, Applicant has amended independent claims 1, 9, 17, 23, and 29, support for which may be found in Applicants' specification at, for example, Figures 11-16 and the corresponding sections of the specification. The amendments to the claims are the same as those previously submitted in the Amendment After Request for Continued Examination on February 7, 2006. In a telephone call to the Examiner on March 15, 2006, the Examiner indicated that Amendment After Request for Continued Examination was not considered because it crossed in the mail with the Office Action mailed February 6, 2006. Accordingly, the Examiner advised Applicant to re-submit those Amendments for consideration.

In the Office Action,¹ the Examiner rejected claims 17, 19, 23, and 25² under 35 U.S.C. § 103(a) as unpatentable by Applicants' admitted prior art ("*AAPA*") in view of U.S. Patent No. 6,741,608 to Bouis et al. ("*Bouis*"); rejected claims 1, 3, 7-9, 11, 15, 16, 19, 25, 29, 31, 35, 36, and 39³ under 35 U.S.C. § 103(a) as allegedly unpatentable over *AAPA* in view of *Bouis*, and further in view of U.S. Patent No. 6,553,002 to Bremer et al. ("*Bremer*"); rejected claims 2, 10, and 30 under 35 U.S.C. § 103(a) as allegedly unpatentable over *AAPA* in view of *Bouis*, and further in view of *Bremer* and U.S. Patent No. 5,347,272 to Ota ("*Ota*"); and rejected claims 4, 12, and 32 under 35 U.S.C.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

² The Examiner separated the rejections of these claims into two separate rejections in the Office Action at p. 2 and in the Office Action at p. 15; however, the references relied on in these rejections are the same (*AAPA* and *Bouis*).

§ 103(a) as unpatentable over *AAPA* in view of *Bouis*, and further in view of *Bremer* and U.S. Patent No. 5,802,049 to Watanabe ("*Watanabe*"); rejected claim 37 under 35 U.S.C. § 103(a) as unpatentable over *AAPA* in view of *Bouis*, and further in view of *Bremer* and U.S. Patent No. 6,751,650 to Finch, II et al. ("*Finch*"); rejected claims 20 and 26 under 35 U.S.C. § 103(a) as unpatentable over *AAPA* in view of *Bouis* and further in view of *Watanabe*.

Applicants thank the Examiner for indication of allowable subject matter in claims 5, 6, 13, 14, 21, 22, 27, 28, 33, 34, and 38 (Office Action at p. 17).

Claim 1, as amended, recites a combination including, for example,

route control means for determining a communication route using a network topology provided by connecting the communication nodes based on selection from a plurality of network plans using the format conversion parameter, each network plan being provided based on a format.

None of the cited references, taken alone or in combination, teaches or suggests at least this element recited by claim 1. Independent claims 9, 17, 23, and 29, although of different scope, recite similar elements to claim 1. Claims 2-8, 10-16, 18-22, 24-28, and 30-39 depend from independent claims 1, 9, 17, 23, and 29.

Because none of the cited references, taken alone or in combination, teaches or suggests each and every element required by claims 1-4, 7-12, 15-20, 23-26, 29-32, 35-37, and 39, Applicants respectfully request that the Examiner reconsider and withdraw the rejections under 35 U.S.C. § 103(a).

³ The Examiner separated the rejections for these claims into four separate rejections in the Office Action at p. 5, in the Office Action at p. 10, in the Office Action at p. 13, and in the Office Action at p. 15; however, the references

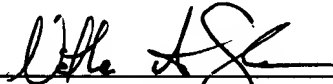
If there is any fee due in connection with the filing of this Preliminary
Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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By: _____


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